

KEVIN G. HORBATIUK (KGH-4977)  
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Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**

**21 MC 102 (AKH)**

-----X  
**JAN WOLKOWICZ and GRACE WOLKOWICZ,**

**DOCKET NO:  
07 CV 1728**

**Plaintiffs,**

**-against-**

**100 CHURCH, LLC, 233 BROADWAY OWNERS,  
LLC., 90 CHURCH STREET LIMITED  
PARTNERSHIP, ALAN KASMAN DBA KASCO,  
AMBIENT GROUP, INC., ANN TAYLOR  
STORES CORPORATION, BATTERY PARK CITY  
AUTHORITY, BELFOR USA GROUP, INC., BFP  
ONE LIBERTY PLAZA CO., LLC., BLACKMON-  
MOORING STEAMATIC CATASTOPHE, INC.,  
d/b/a BMS CAT, BOSTON PROPERTIES, INC.,  
BROOKFIELD FINANCIAL PROPERTIES, INC.,  
BROOKFIELD FINANCIAL PROPERTIES, L.C.,  
BROOKFIELD PARTNERS, L.P., BROOKFIELD  
PROPERTIES CORPORATION, BROOKFIELD  
PROPERTIES HOLDINGS, INC., CUNNINGHAM  
DUCT CLEANING CO., ENVIROTECH CLEAN  
AIR, INC., ENERAL RE SERVICES COP.,  
GPS ENVIRONMENTAL CONSULTANTS, INC.,  
HILLMAN ENVIRONMENTAL GROUP, LLC  
INDOOR AIR PROFESSIONALS, INC.,  
INDOOR ENVIRONMENTAL TECHNOLOGY, INC.,  
KASKO RESTORATION SERVICES CO., LAW**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER  
COMPLAINT**



ENGINEERING, P.C., MERILL LYNCH & CO.,  
 MERILL LYNCH & CO., INC., NATIONAL  
 ASSOCIATION OF SECURITIES DEALERS, INC.,  
 NEW LIBERTY PLAZA, L.P., NEW YORK CITY  
 ECONOMIC DEVELOPMENT CORPORATION, NEW YORK  
 CITY INDUSTRIAL DEVELOPMENT AGENCY,  
 NEW YORK CITY INDUSTRIAL DEVELOPMENT  
 CORPORATION, NOMURA HOLDING AMERICA, INC.,  
 NOMURA SECURITIES INTERNATIONAL, INC.,  
 ONE LIBERTY PLAZA, ONE WALL STREET  
 HOLDINGS, LLC, ROYAL AND SUNALLIANCE  
 INSURANCE GROUP, PLC., SAKALE BROTHERS, LLC  
 STRUCTURE TONE GLOBAL SERVICES, INC.,  
 STRUCTURE TONE (UK), INC., THE BANK OF NEW  
 YORK COMPANY, INC., THE BOARD OF MANAGER  
 OF THE ONE LIBERTY PLAZA CONDOMINIUM  
 (CONDO # 1178), THE CITY OF NEW YORK, THE ONE  
 LIBERTY PLAZA CONDOMINIUM (CONDO # 1178),  
 TOSCORP., INC., TRC ENGINEERS, INC., TUCKER  
 ANTHONY, INC., VERIZON COMMUNICATIONS, INC.,  
 VERIZON NEW YORK, INC., VERIZON PROPERTIES,  
 INC., WFP ONE LIBERTY PLAZA, CO., LP., WFP ONE  
 LIBERTY PLAZA CO., GP., CORP., WFP TOWER A CO., L.P.,  
 WFP TOWER A CO., WFP TOWER A. CO., GP. CORP.,  
 WORLD FINANCIAL PROPERTIES, L.P.C., and  
 ZAR REALTY MANAGEMENT CORP.,

**Defendants.**

.....X

PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102(AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
January 14, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
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RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
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115 Broadway 12th Floor  
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**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 14th day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
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KEVIN G. HORBATIUK